

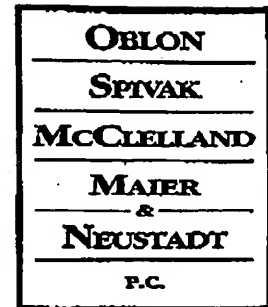
FEB. 12. 2007 11:39AM

OBLON SPIVAK

NO. 030

P. 2

February 12, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE  
2051 Jamieson Avenue  
Suite 300  
Alexandria, VA

ATTORNEYS AT LAW  
KATHLEEN A. MORSBERGER  
CONTROLLER  
(703) 412-6494  
KMORSBERGER@OBLON.COM

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of December 2006. Please review the highlighted charge on Serial Number 10/663,785, in the amount of \$130.00 on fee code number 1464.

This fee for a Petition under 37 CFR 1.17(h) is in error as the December 5, 2006 paper was a Response to the Notice of Non-Compliant Amendment dated November 8, 2006 and not a Petition. The Response included a copy of a previously filed Petition dated October 16, 2006.

The Response was filed timely and therefore, no additional fees were required.

Please review this application and kindly refund \$130.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Scott Lohr

1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.  
TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

PAGE 2/6 \* RCVD AT 2/12/2007 11:39:23 AM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/37 \* DNS:2736500 \* CSID:703 413 2220 \* DURATION (mm-ss):01-16

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ITW  
\$

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
SUNG UK MOON, ET AL. : EXAMINER: WENDELL, A.  
SERIAL NO: 10/663,785 :  
FILED: SEPTEMBER 17, 2003 : GROUP ART UNIT: 2618  
FOR: RADIO COMMUNICATION :  
SYSTEM, MOBILE STATION AND  
RADIO NETWORK CONTROLLER

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
AND AMENDMENT WITH ONE REPLACEMENT DRAWING SHEET

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice of Non-Compliant Amendment dated November 8, 2006,  
Applicant respectfully re-submit the Amendment previously filed on October 16, 2006 along  
with the corrected drawing sheet which properly identifies the drawing as a Replacement  
Sheet.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 06/04)

I:\ATTY\ATH\PROSECUTION\24\S\242939US\242393US-RESP. TO NON-COMPLIANT.DOC

  
Bradley D. Lytle

Attorney of Record

Registration No. 40,073

Andrew T. Harry

Registration No. 56,959

Adjustment Date: 03/30/2007 MGERREM1  
12/06/2006 SZEDDIE1 00000129 150030 10663785  
01 FC:1464 130.00 CR

12/06/2006 SZEDDIE1 02223129 150030 10663785

01 FC:1464 130.00 CR

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**United States  
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Trademark Office**

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**Deposit Account Statement**

**Requested Statement Month:**

**Deposit Account Number:**

**Name:**

**Attention:**

**Address:**

**City:**

**State:**

**Zip:**

**Country:**

December 2006

150030

NORMAN F. OBLON

1940 DUKE STREET

ALEXANDRIA

VA

22314

UNITED STATES

| DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT       | BAL         |
|-------|-----|--------------------|---------------------------|-------------|-----------|-------------|
| 12/01 | 2   | 09771883           | 202561US2                 | 1202        | \$100.00  | \$28,630.71 |
| 12/01 | 27  | 11514236           | 295760US26CIP             | 1053        | \$130.00  | \$28,600.71 |
| 12/01 | 136 | 10756426           | 247527USOXDIV             | 1202        | -\$700.00 | \$29,200.71 |
| 12/01 | 1   | 10031570           | 217075US2PCT              | 1001        | -\$740.00 | \$29,940.71 |
| 12/04 | 8   | 10575100           | 288804USOX PCT            | 1616        | \$360.00  | \$29,580.71 |
| 12/04 | 31  | 11555058           | 298469US2S                | 1081        | \$250.00  | \$29,330.71 |
| 12/04 | 10  | 10317631           | 450110-04359              | 1251        | -\$120.00 | \$29,450.71 |
| 12/04 | 210 | 11294421           | 283082US/KQU              | 8007        | \$20.00   | \$29,430.71 |
| 12/05 | 39  | 6784224            | 229146US/KQU              | 8013        | \$25.00   | \$29,405.71 |
| 12/05 | 7   | 11353934           | 286435US0                 | 8007        | \$20.00   | \$29,385.71 |
| 12/06 | 52  | 60741905           | 282404US/KQU              | 8007        | \$60.00   | \$29,325.71 |
| 12/06 | 53  | 11330205           | 284617US/KQU              | 8007        | \$40.00   | \$29,285.71 |
| 12/06 | 1   | 10637637           | 241260US0                 | 1806        | \$180.00  | \$29,105.71 |
| 12/06 | 2   | 10637637           | 241260US0                 | 1806        | \$180.00  | \$28,925.71 |
| 12/06 | 32  | 11556329           | 298666US8                 | 1201        | \$200.00  | \$28,725.71 |
| 12/06 | 7   | 10827376           | 252035US DIV              | 1251        | -\$120.00 | \$28,845.71 |
| 12/06 | 1   | 90007956           | 20741/01500               | 1822        | \$250.00  | \$28,595.71 |
| 12/06 | 8   | 10386489           | 235230US2                 | 1801        | -\$790.00 | \$29,385.71 |
| 12/06 | 53  | 10535985           | 280160US0PCT              | 1201        | -\$200.00 | \$29,685.71 |
| 12/06 | 206 | 10663785           | 242939US80                | 1464        | \$130.00  | \$29,465.71 |
| 12/06 | 71  | 10184888           | 224052US0XCONT            | 1801        | -\$790.00 | \$30,245.71 |
| 12/06 | 72  | 10184888           | 224052US0XCONT            | 1464        | -\$130.00 | \$30,375.71 |
| 12/07 | 1   | 10663783           | 242929US2                 | 1806        | \$180.00  | \$30,195.71 |
| 12/07 | 114 | 10699852           | 244855US0                 | 1251        | \$120.00  | \$30,075.71 |
| 12/07 | 2   | 10636637           | 241316US2                 | 1806        | \$180.00  | \$29,895.71 |
| 12/07 | 3   | 10507681           | 257839US0PCT              | 1806        | \$180.00  | \$29,715.71 |
| 12/07 | 15  | 09968547           | 214426US2CIP              | 1201        | -\$200.00 | \$29,915.71 |

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

10/683785

Examiner

Andrew Wendell

Applicant(s)

Sung Uk Moon

Art Unit

2618

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

The amendment document filed on **16 October 2006** is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☒ 3. Amendments to the drawings:
- ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other \_\_\_\_\_
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment, an amendment filed after allowance, or a drawing submission (only). If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Dawn Brewer

Legal Instruments Examiner (LIE), if applicable

571-272-4331

Telephone No.

U.S. Patent and Trademark Office

Part of Paper No.

FEB. 12. 2007 11:39AM

OBLON SPIVAK

NO. 030 P. 5



Docket No. 242939US8

IN RE APPLICATION OF: Sun Microsystems, et al.

SERIAL NO: 10/663,785

FILED: September 17, 2003

FOR: RADIO COMMUNICATION SYSTEM, MOBILE STATION AND RADIO NETWORK CONTROLLER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- ☒ Additional documents filed herewith: Letter Submitting Replacement Drawings, One Sheet of Replacement Drawings

The Fee has been calculated as shown below:

| CLAIMS           | CLAIMS REMAINING |       | HIGHEST NUMBER PREVIOUSLY PAID | NO. EXTRA CLAIMS             | RATE   | CALCULATIONS |
|------------------|------------------|-------|--------------------------------|------------------------------|--|--------------|
| TOTAL            | 5                | MINUS | 20                             | 0                            | x \$50 =   | \$0.00       |
| INDEPENDENT      | 3                | MINUS | 3                              | 0                            | x \$200 =  | \$0.00       |
| APPLICATION SIZE |                  | MINUS | 100                            | 0<br>(each addtl. 50 sheets) | x \$250 =  | \$0.00       |
|                  |                  |       |                                |                              | <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS + \$360 =         | \$0.00       |
|                  |                  |       |                                |                              | TOTAL OF ABOVE CALCULATIONS  | \$0.00       |
|                  |                  |       |                                |                              | <input type="checkbox"/> Reduction by 50% for filing by Small Entity | \$0.00       |
|                  |                  |       |                                |                              | TOTAL  | \$0.00       |

- ☐ A check in the amount of \$0.00 is attached.
- ☒ Credit card payment form is attached to cover the fees in the amount of 130.00
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Bradley D. Lytle  
Registration No. 40,073

Andrew T. Harry  
Registration No. 56,959

Customer Number

22850

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Fax. (703) 413-2220  
(OSMMN 05/03)

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OBLON SPIVAK

NO. 030 P. 6



DOCKET NO: 242939US8

ITW  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

SUNG UK MOON, ET AL.

: EXAMINER: WENDELL, A.

SERIAL NO: 10/663,785

FILED: SEPTEMBER 17, 2003

: GROUP ART UNIT: 2618

FOR: RADIO COMMUNICATION  
SYSTEM, MOBILE STATION AND  
RADIO NETWORK CONTROLLER

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
AND AMENDMENT WITH ONE REPLACEMENT DRAWING SHEET

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Notice of Non-Compliant Amendment dated November 8, 2006,  
Applicant respectfully re-submit the Amendment previously filed on October 16, 2006 along  
with the corrected drawing sheet which properly identifies the drawing as a Replacement  
Sheet.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000

Fax: (703) 413-2220

(OSMMN 06/04)

ATTYATHPROSECUTION246242939US242393US-RESP. TO NON-COMPLIANT.DOC

Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Andrew T. Harry  
Registration No. 56,959

12/06/ECR6 SZWDIE1 C0223129 150830 10263705

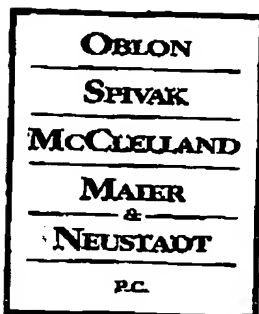
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FEB. 12. 2007 11:39AM

OBLON SPIVAK

NO. 030 P. 1



ATTORNEYS AT LAW

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PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

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### FACSIMILE

PLEASE CALL US AT (703) 413-3000 IF THE MESSAGE YOU RECEIVE IS INCOMPLETE OR NOT LEGIBLE

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|      | NAME                             |                |  |
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### MESSAGE

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